

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

BLUE SPIKE, LLC

Plaintiff,

v.

TEXAS INSTRUMENTS, INC., et al.

§ Civil Action No. 6:12-CV-499 -MHS-CMC

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§ LEAD CASE

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Defendants

**JOINT MOTION TO EXTEND THE DEADLINE TO SUBMIT JOINT CLAIM
CONSTRUCTION CHART (P.R. 4-5(d))**

NOW COME, Plaintiff, Blue Spike, LLC, and Defendants Iritech, Inc., Futronic Technology Co., Ltd., Fulcrum Biometrics LLC, Audible Magic Corporation, Photobucket.com, Inc., Qlipso, Inc., Qlipso Media Networks Ltd., Zedge Holdings, Inc., Mediafire, LLC., Dailymotion, Inc., Dailymotion S.A., GoMiso, Inc, iMesh, Inc., Coincident.TV, Inc., Facebook, Inc., MySpace, LLC, Specific Media, LLC, Yap.tv, Inc., Metacafe, Inc., Boodabee Technologies Inc., Harmonix Music Systems, Inc., Brightcove, Inc., Accedo Broadband AB, Accedo Broadband NA, Inc., Soundcloud, Inc., Soundcloud Ltd., WiOffer, LLC, Myxer, Inc., Contributor Corporation, Viggle Inc., Shazam Entertainment Limited, MorphoTrust USA, Inc., L-1 Identity Solutions, Inc., MorphoTrak, Inc., Safran USA, Inc., Irdeto USA, Inc., Irdeto B.V., Last.fm Ltd., CBS Interactive, Inc., Infinisource, Inc., Qquest Software Systems, Inc., SMRTV, Inc., The Nielsen Company (US) LLC, Clear Channel Broadcasting, Inc., Entropic Communications, Inc., Cognitec Systems GmbH, Cognitec Systems Corp., Civolution USA, Inc., Civolution B.V., Airborne Biometrics Group, Inc. (collectively, "Defendants"), and move the Court to extend the time within which the parties are required to submit a Joint Claim Construction Chart (P.R. 4-5(d)).

I.

Pursuant to the Court's March 6, 2014, Scheduling and Discovery Orders (Dkt. No. 1331 and 1332), the parties' deadline to submit a Joint Claim Construction Chart (P.R. 4-5(d)) is September 19, 2014. The parties respectfully request that this deadline be extended to and including September 22, 2014.

II.

The parties are actively resolving disputes regarding the Joint Claim Construction charts¹ and jointly move for an order that would extend the aforementioned deadline by one day.

III.

The Parties seek this extension of time not for delay but for good cause and so that justice may be served.

WHEREFORE, Plaintiff and the above Defendants respectfully pray that the deadline to submit a Joint Claim Construction Chart (P.R. 4-5(d)) be extended to and including September 22, 2014.

DATED: September 22, 2014

Respectfully submitted,

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¹ Two joint claim construction charts will be filed. One chart will cover Blue Spike's four patents-in-suit (U.S. Patent Nos. 7,346,472, 7,660,700, 7,949,494, and 8,214,175), and the second will cover Audible Magic's counterclaim patent-in-suit (U.S. Patent No. 6,834,308).

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CERTIFICATE OF SERVICE

This is to certify that all counsel of record are being served with a copy of this document *via* the Court's CM/ECF system per Local Rule CV-5(a)(3) on this the 22nd day of September, 2014.

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